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NIT-402

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

K. SOEJIMA, et al.

Serial No. 10/698,453 Group Art Unit: 2186

Filed: November 3, 2003

For: DATA PROCESSING METHOD WITH RESTRICTED DATA ARRANGEMENT, STORAGE AREA MANAGEMENT METHOD, AND DATA PROCESSING SYSTEM

**PETITION TO MAKE SPECIAL**
**UNDER 37 CFR §1.102(d) (MPEP §708.02(VIII))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants petition the Commissioner to make the above-identified application special in accordance with 37 CFR §1.102(d).

In accordance with the requirements set forth in Manual of Patent Examining Procedure §708.02(VIII), the Applicants believe that all claims are directed to a single invention. If the Office determines that all claims are not directed to a single invention, Applicant will make an election without traverse as a prerequisite to the grant of special status.

Further, a pre-examination search has been conducted in the following areas: Class 707, subclasses 100, 203, and 205; Class 709, subclasses 219, 223, and 225; and Class 711,

subclasses 153, 162, and 209. A key word search was also performed on the USPTO systems EAST and WEST.

Of the documents reviewed during the search, those deemed to be most closely related to the subject matter encompassed by the claims are listed below, with selected documents discussed separately. The claimed subject matter is believed to be patentable over the teachings of these documents for the reasons set forth. One copy of each of these documents accompanies this Petition.

**Documents developed by the pre-examination search**

U.S. Patents

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|---|---|
| 5,394,539 | Neuhard, et al. |
| 5,873,103 | Trede, et al. |
| 5,895,501 | Smith |
| 5,978,810 | Mitchell, et al. |
| 5.996,047 | Peacock |
| 6,034,832 | Ichimura, et al. |
| 6,192,359 | Tsuchida, et al. |
| 6,292,198 | Matsuda, et al. |
| 6,292,874 | Barnett |
| 6,385,706 | Ofek, et al. |
| 6,567,865 | Araki, et al. |
| 6,574,706 | Sutherland, et al. |
| 6,578,039 | Kawamura |
| 6,633,953 | Stark |
| 6,681,310 | Kusters, et al. |
| 6,684,210 | Takechi, et al. |
| 6,718,352 | Dang, et al. |
| 6,721,823 | Araki, et al. |

U.S. Patent Application Publications

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| 2001/0049749 | Katsuragi, et al. |
| 2002/0029263 | Toyoshima, et al. |
| 2002/0075281 | Suzuki, et al. |
| 2003/0028737 | Kaiya, et al. |
| 2003/0093439 | Mogi, et al. |
| 2003/0093442 | Mogi, et al. |
| 2003/0105852 | Das, et al. |
| 2003/0135783 | Martin, et al. |
| 2003/0167312 | Bramnick, et al. |
| 2003/0177379 | Hori, et al. |
| 2003/0182306 | Maeda |
| 2004/0044649 | Yamato, et al. |

Foreign Patent Publications

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|---|---|
| EP 1187022 | Arteaga |
| JP 6-187377 | Nishio |
| JP 8-190378 | Takahashi |
| JP 9-034758 | Kobayashi |
| JP 2001-142751 | Kawamura |

Neuhard, et al., US 5,394,539 ("Neuhard") shows a data processing system for rapid data copying using reassigned backing pages, including virtual addressing capability and storage management to associate virtual storage locations with real storage by accessing page tables to determine the locations of "backed" virtual storage pages. Neuhard also shows a real storage manager that accepts requests to copy ranges of virtual storage from one virtual storage range to another. Neuhard does not relate to assuring the security of copying data from a source to a destination based on defining

range information for the data and a possible data arrangement range for the destination storage.

Ichimura, et al., US 6,034,832 ("Ichimura") shows a recording and reproducing apparatus in which recording and reproducing operations are controlled on the basis of digital copy management data (CMD). Ichimura shows a system wherein CMD for managing allowance or "unallowance" (i.e., prohibition) of copies on a recording medium are recorded, and a time restriction condition, a geographical area limiting condition, a condition for restricting a copy mode, etc. are managed on the basis of the recorded CMD. When data are copied, the CMD are recorded together with the main data. Ichimura does not teach the claimed definition of range information for a storage and possible data arrangement range for data to be copied, wherein a judgment is made as to whether the data can be copied based on the range information and possible data arrangement range.

Matsuda, et al., US 6,292,198 ("Matsuda") shows an information processing method and apparatus, and information providing medium data for specifying a moving range of an object stored in a storage device, having a generated position to a position in the specified moving range and moving the object to a corrected position. Matsuda does not relate to copying data from a source to a destination, with a judgment

as to whether the data can be copied based on range information of the destination storage and a possible data arrangement range of the data.

Barnett, US 6,292,874 ("Barnett") teaches a memory management system for partitioning homogeneous memory and restricting access of applications to predetermined memory ranges mapped to the applications. Barnett does not suggest that access is restricted based on range information of the storage and a possible data arrangement range of the data to be copied.

Kawamura, US 6,578,039 ("Kawamura") discloses a database management system in which multiple key ranges are correlated with multiple data storage areas provided in memory, for managing a given volume of data moved from the multiple data storages to a newly-added data storage. Kawamura also does not relate to copying data from a source to a destination, with a judgment as to whether the data can be copied based on range information of the destination storage and a possible data arrangement range of the data.

Published U.S. Patent Application Publication Number 2003/0028737 to Kaiya, et al. ("Kaiya") shows a copying method for copying data between logical disks according to a copy instruction, in units of area division of the copy-source logical disk. The copying process can be interrupted in

response to an access instruction. Kaiya does not teach that access to a storage is restricted based on range information of the storage and a possible data arrangement range of the data to be copied.

The remaining documents listed above are of perhaps more general interest, representing the state of the art of concern. None of these documents teaches a system or method in which copying access to a storage is determined based on range information of the storage and a possible data arrangement range of the data to be copied.

**Conclusion**

The Applicants submit that the foregoing discussion demonstrates the patentability of the claimed invention over the closest known prior art. Accordingly, the requirements of 37 CFR §1.102(d) having been satisfied, the Applicants request that this Petition be granted and that the application be examined according to prescribed procedures.

A Credit Card Payment Form in the amount of $130.00 accompanies this Petition in satisfaction of the fee set forth in 37 CFR §1.17(h). The Commissioner is hereby authorized to charge any additional payment due, or to credit any overpayment, to Deposit Account No. 50-1417.

Respectfully submitted,

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